

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

MICHELLE J. KANE (CABN 210579)
Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San Jose, CA 95113
Telephone: (408) 535-5061
Fax: (408) 535-5066
E-Mail: michelle.kane3@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
GREGORY ALEXANDER,
Defendant.

No. CR 09-00719 EMC

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME FROM JUNE
14, 2011, TO JULY 13, 2011.

With the agreement of the parties in open court on June 14, 2011, and with the consent of the defendant Gregory Alexander, the Court enters this order (1) setting a status conference in District Court on July 13, 2011, at 2:30 p.m., and (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from June 14, 2011, to July 13, 2011. The Court finds and holds, as follows:

1. The parties previously appeared before District Judge Marilyn Hall Patel for a status conference on April 25, 2011. At that time, Judge Patel scheduled a further status conference for June 27, 2011, and found that the period from April 25, 2011, to June 27, 2011, was properly

1 excluded under the Speedy Trial Act to allow defense counsel further preparation. The
2 government agreed to the proposed exclusion of time.

3 2. On June 7, 2011, the case was reassigned to Judge Edward M. Chen and a status
4 conference was set for June 14, 2011. The parties appeared before Judge Chen on June 14, 2011.
5 At that time, counsel for the defendant, who is not in custody and was not present in court,
6 represented that the parties had discussed progress in the matter and anticipated resolving the
7 case. The defendant requested that time be excluded from the Speedy Trial Act from to June 14,
8 2011, to July 13, 2011, to allow defense counsel further preparation and to allow the parties to
9 conduct needed investigation. The government agreed to the proposed exclusion of time.

10 2. The Court finds that, taking into account the public interest in the prompt disposition of
11 criminal cases, granting the continuance to July 13, 2011, is necessary for effective preparation
12 of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). Given these circumstances, the Court finds
13 that the ends of justice served by excluding the period from June 14, 2011, to July 13, 2011,
14 outweighs the best interest of the public and the defendant in a speedy trial. 18 U.S.C. §
15 3161(h)(7)(A).

16 3. Accordingly, and with the consent of the defendant, the Court (1) sets a status hearing on
17 July 13, 2011 at 2:30 p.m., and (2) orders that the period from June 14, 2011, to July 13, 2011,

18 //

1 is excluded from Speedy Trial Act computation under 18 U.S.C. §§ 3161(h)(1)(D) and
2 3161(h)(7)(A) and (B)(iv).

3
4 IT IS SO STIPULATED.

5
6 Dated: July 15, 2011

Respectfully submitted,

7 MELINDA HAAG
8 United States Attorney

9
10 /s/
MICHELLE J. KANE
11 Assistant United States Attorney

12 Dated: July 15, 2011

BARRY PORTMAN
13 Federal Public Defender

14
15 /s/
ELIZABETH FALK
16 Assistant Federal Public Defender
Counsel for Gregory Alexander

17 IT IS SO ORDERED.

18 DATED: July 18, 2011
19 _____

20 EDWARD M. CHEN
United States District Judge

